

BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA  
DOCKET NO. 95-1166-C - ORDER NO. 95-1677✓  
NOVEMBER 9, 1995

Plantation Golf Villas HOA, Inc.	)	
	)	
Complainants/Petitioners	)	
vs.	)	ORDER
	)	DENYING
Blaine Liljenquist, Horry Telephone	)	REQUEST
Cooperative and GTE South, Inc.	)	FOR
	)	HEARING
Defendants/Respondents	)	

This matter comes before the Public Service Commission of South Carolina (the Commission) on the August 17, 1995, Petition/Request for Hearing filed by David E. Henry, president of Plantation Golf Villas Home Owners Association, Inc. (Plantation Golf Villas or the HOA). Notice of such petition was properly given to the Defendants/Respondents, and Answers were timely filed.

The Complainants/Petitioners base their request for hearing on their desire to receive local exchange telephone service from Horry Telephone Cooperative. Currently, Horry Telephone Cooperative utilizes the installed underground telephone lines of Plantation Resort of Myrtle Beach, Inc., to provide private telephone numbers and direct dialtone service to the long term

tenants and owners in the Plantation Resort of Myrtle Beach condominium project. Plantation Resort does not charge Horry Telephone Cooperative or its customers for use of the lines. These telephone lines are maintained by GTE, South, Inc. ("GTE").

Section 58-9-1080 of South Carolina Code Annotated (1976) provides that any person "having an interest in the subject matter ... may complain in writing setting forth any act or thing done or omitted to be done by any telephone utility ...." Under Section 58-9-1110, the Commission "may dismiss any complaint without a hearing if in its opinion a hearing is not necessary in the public interest or for the protection of substantial rights" (S.C. Code Ann. 1976). This section is applicable in the present situation.

This Commission finds that a hearing is not necessary in the public interest or for the protection of substantial rights. We find that HOA members receive direct dial tone service from Horry Telephone Cooperative, in accordance with Horry Telephone Cooperative's tariff, albeit through the telephone lines of Plantation Resort of Myrtle Beach, Inc. The HOA members have not registered complaint as to the quality of service provide by Horry Telephone Cooperative, and they are not charged an additional fee for the Cooperative's use of Plantation Resort's telephone lines.

IT IS THERFORE ORDERED THAT:

1. The Petition of Plantation Golf Villas HOA, Inc., is hereby dismissed, and a hearing is not granted.

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This Commission finds that a hearing is not necessary in the public interest or for the protection of substantial rights. We find that HOA members receive direct dial tone service from Horry Telephone Cooperative, in accordance with Horry Telephone Cooperative's tariff, albeit through the telephone lines of Plantation Resort of Myrtle Beach, Inc. The HOA members have not registered complaint as to the quality of service provide by Horry Telephone Cooperative, and they are not charged an additional fee for the Cooperative's use of Plantation Resort's telephone lines.

IT IS THERFORE ORDERED THAT:

1. The Petition of Plantation Golf Villas HOA, Inc., is hereby dismissed, and a hearing is not granted.

2. This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:

  
Chairman

ATTEST:

  
Executive Director

(SEAL)